

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
N/S Monkton Road & W/S private 30 ft. road
16616 Remare Road
10th Election District
3rd Councilmanic District
Eric vanden Beemt, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-407-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 38 ft., in lieu of the required 50 ft., for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of May, 1992 that the Petition for a Zoning Variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 38 ft., in lieu of the required 50 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-1886

May 28, 1992

Mr. and Mrs. Eric vanden Beemt
16616 Remare Road
Monkton, Maryland 21111

RE: Petition for Residential Zoning Variance
Case No. 92-407-A

Dear Mr. and Mrs. vanden Beemt:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
encl.

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1A03.4.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) TO PERMIT A SIDE YARD SETBACK OF 38' IN LIEU OF THE REQUIRED 50'

of the Zoning Regulations of Baltimore County for the following reasons: (unless hereby waived or granted otherwise)

Existing house was built before zoning regulations. To add needed extra living space, Baltimore County landmarks Preservation people prefer addition in corner of house. It is a hardship not to be able to follow their request.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City State Zip Code

Home, address and phone number of owner, authorized purchaser or representative to be contacted.

Legal Owner(s):

(Type or print name)

(Signature)

Address

City

State Zip Code

Home, address and phone number of owner, authorized purchaser or representative to be contacted.

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 28th day of May, 1992, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

RECEIVED BY: 400 DATE: 5/28/92

ESTIMATED POSTING DATE: ESTIMATED CLOSING DATE:

FORM 9

AFFIDAVIT
IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) do(es) presently reside at 16616 REMARE RD, MONKTON MD 21111

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (unless hereby waived or granted otherwise)
Existing house was built in the 1850's before zoning regulations. Extra space is needed now for a growing family. Baltimore County landmarks Preservation prefers their family room addition not be visible from Monkton Road. Besides this obvious practical difficulty it would be a hardship for us not to be able to proceed as the addition living space is needed.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Eric vanden Beemt
Patricia vanden Beemt
Eric vanden Beemt

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of April, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Eric vanden Beemt and Patricia vanden Beemt

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4054

My Commission Expires DECEMBER 1, 1995

Property Description - 16616 Remare Road, Monkton, MD 21111

Beginning for the same at the intersection formed by the west side of a 30 foot road with the north right-of-way line of Maryland Route 138 (Relocation of Monkton Road) 60 feet wide as shown on a Baltimore County Bureau of Land Acquisition RW 72-124-5 as recorded with an Inquisition dated October 15, 1974 in the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5484, folio 798, etc. said point of beginning also being in the first or N 13 22E 528 foot line of that tract of land which by deed dated August 4, 1975 and recorded among said Land Records in Liber E.H.K., Jr. No. 5554, folio 16, etc. was conveyed by Percy G. Walker and wife to John Richard North and wife thence running with and binding on part of said first line and binding on the west side of said 30 foot road. (1) N 4 57' 21" E 123.99 feet more or less to the southwest side of Remare Road 40 feet wide thence binding on the southwest side of Remare Road and on the second, third and fourth lines of the North conveyance and three following courses and distances. (2) N 46 05' 39" W 115.00 feet. (3) Northwest by a line curving to the north with a radius of 828.53 feet for an arc distance of 111.10 feet (the chord of said arc being N 42 14' 39" W 110.39 feet) and (4) N 38 24' 39" W 201.51 feet thence running with and binding on the fifth line of said conveyance. (5) S 51 35' 21" W 500.00 feet to the easternmost side of Gunpowder Falls thence with and binding on part of the sixth line of the North conveyance. (6) S 39 10' 57" E 295.82 feet more or less to intersect the said north right-of-way line of Maryland Route 138 as shown on RW 72-124-4 filed as aforesaid thence binding on the north right-of-way line of Maryland Route 138 as shown on said plats the four following courses and distances. (7) N 71 51' 40.6" E 114.89 feet more or less. (8) S 18 08' 3" E 10.00 feet. (9) N 71 51' 40.6" E 150.94 feet and (10) Northeast by a line curving to the east with a radius of 530.00 feet for an arc distance of 224.02 feet (the chord of said arc being N 83 58' 13" E 222.36 feet) to the place of beginning. Containing 4.6 acres of land more or less. The improvements thereon being known as No. 16616 Remare Road.

Being a portion of the property which by Deed dated August 4, 1975 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 5554, folio 16 was granted and conveyed by Percy G. Walker and Mildred C. Walker, his wife, to John Richard North and Joyce M. North, his wife, in fee simple.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th Date of Posting 5/27/92
Posted for: Variance
Petitioner: Eric & Patricia vanden Beemt
Location of property: N/S Monkton Rd. & W/S Remare Rd.
16616 Remare Rd.
Location of Signs: Facing North on Rd. signs 12' E. to sign on 16616 Remare Rd.
Remarks: Mailed
Posted by: Mailed Date of return: 5/27/92
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
RECEIVED
4/27/92
CASH RECEIPT
122357
PUTTER DOWN
\$85.00
VARIANCE

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

PAID PER HAND-WRITTEN RECEIPT DATED 4/27/92

5/04/92

H9200446

PUBLIC HEARING FEES	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$50.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$35.00
		TOTAL: \$85.00

LAST NAME OF OWNER: VAN DEN BEEMT

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353
May 19, 1992

Mr. & Mrs. Eric Vanden Beemt
16616 Remare Road
Monkton, MD 21111

RE: Item No. 446, Case No. 92-407-A
Petitioner: Eric Vanden Beemt, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Vanden Beemt:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

Your petition has been received and accepted for filing this 27th day of April 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Eric Vanden Beemt, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management
FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning
DATE: May 5, 1992
SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - May 4, 1992

The Office of Planning and Zoning has no comments on the following petitions:

George Raduano - Merritt Blvd.
Huntington Development Corp. - Hunting Tweed Drive
Waldon J. Stevanus - 8524 Vollmert Avenue
Rita L. Ruff - Elm Road
Eric Van Den Beemt - Monkton Road #446
Warren E. Downey - Weddel Avenue

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

5.4.92.txt
Petlms.txt

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: May 7, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: May 4, 1992
LEGAL OWNER: Eric Vanden Beemt 446

There are no comments for this site.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/dm

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: May 12, 1992
FROM: J. Lawrence Pilson
SUBJECT: ZAC meeting 5-4-92 - Eric vanden Beemt
and Patricia vanden Beemt - N/S Monkton
Road and W/S Private 30' road (#16616 Remare
Road) - D-10 - Private Water and Sewer

The above-referenced matter has been reviewed by Department of Environmental Protection and Resource Management staff and comments are as follows:

1. Structure must be appropriate distance from septic reserve and must handle additional usage.
2. Development of this site must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

If you have any questions, please contact me at extension 2762.

J. Lawrence Pilson
J. Lawrence Pilson, Development Coordinator
Department of Environmental Protection
and Resource Management

JLP:tjl

VANDEN.ZON/TXTSBR

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

MAY 8, 1992

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ERIC VANDEN BEEMT AND PATRICIAN VANDEN BEEMT
Location: #16616 REMARE ROAD
Item No.: 446 * (LEO) Zoning Agenda: MAY 4, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *C. D. Beck* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
MAY 11 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: May 7, 1992
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for May 11, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for the following properties:

Scripps Howard Broadcasting Company
6400 York Road
Huntington Development Corporation
3216 Hunting Tweed Drive
Waldon J. Stevanus & Margaret O. Stevanus
8524 Vollmert Avenue
Rita L. Ruff
1307 Elm Road
Jeffrey W. Sheldon & Charles H. Sheldon
211 Nicodemus Road
Eric vanden Beemt & Patricia vanden Beemt 446
16616 Remare Road
Wm R. Sturgeon & Carol L. Sturgeon
8715 Windsor Hill Road
Warren E. Downey & Linda M. Downey
1227 Weddel Avenue

ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *Walter P. ...* Date 5/14/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
1500	Glencoe Road - Oldfields School, Inc.	432	CR-92-399-XA	4-27-92
STP DEPRM RP	(To EIRD)		No Comments	

COUNT 1

✓	George Raduano And Elizabeth Raduano	5-4-92
DED DEPRM RP STP TE	#440	No Comments
✓	Scripps Howard Broadcasting Company	
DED DEPRM RP STP TE	#441	No Comments
✓	Huntington Development Corporation (Hunting Tweed Drive)	
DED DEPRM RP STP TE	#442	No Comments
✓	Waldon J. And Margaret O. Stevanus	
DED DEPRM RP STP TE	#443	No Comments
✓	Rita L. Ruff	
DED DEPRM RP STP TE	#444	No Comments
✓	Jeffery W. And Charles H. Sheldon	
DED DEPRM RP STP TE	#445	No Comments
✓	Eric and Patricia vanden Beemt	
DED DEPRM RP STP TE	#446	No Comments
✓	William R. And Carol L. Sturgeon	
DED DEPRM RP STP TE	#447	No Comments
✓	Larry R. And Dianna L. Long	
DED DEPRM RP STP TE	#448	No Comments
✓	Warren E. And Linda M. Downey	
DED DEPRM RP STP TE	#449	No Comments

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 28, 1992

Mr. and Mrs. Eric vanden Beemt
16616 Remare Road
Monkton, Maryland 21111

RE: Petition for Residential Zoning Variance
Case No. 92-407-A

Dear Mr. and Mrs. vanden Beemt:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

April 30, 1992

(410) 887-3353

Eric and Patricia vanden Beemt
16616 Remare Road
Monkton, Maryland 21111

Re: CASE NUMBER: 92-407-A
LOCATION: 1/2 S Monoton Road & 1/2 private 30' road
16616 Remare Road
10th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 11, 1992. The closing date is May 26, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

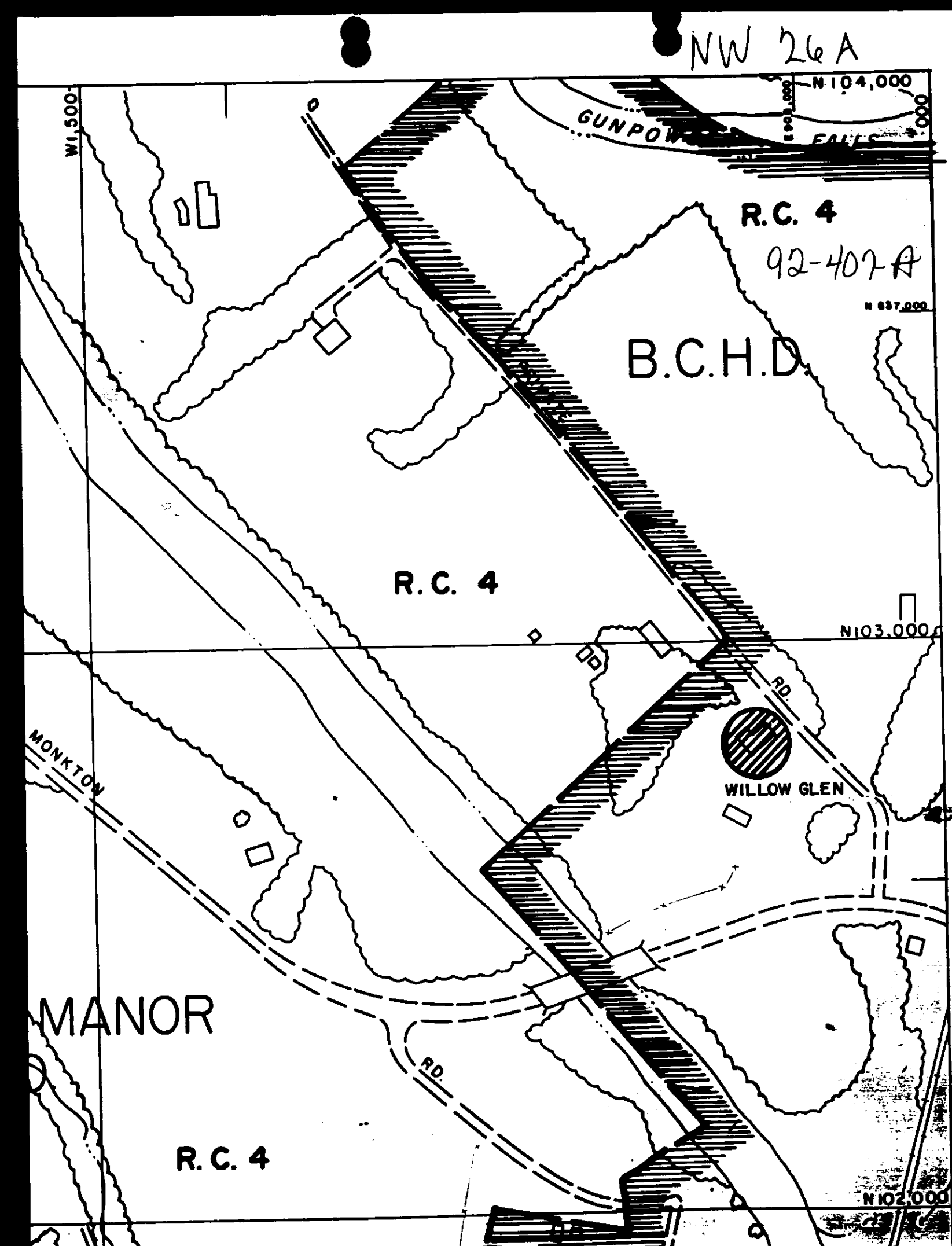
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

Printed on Recycled Paper



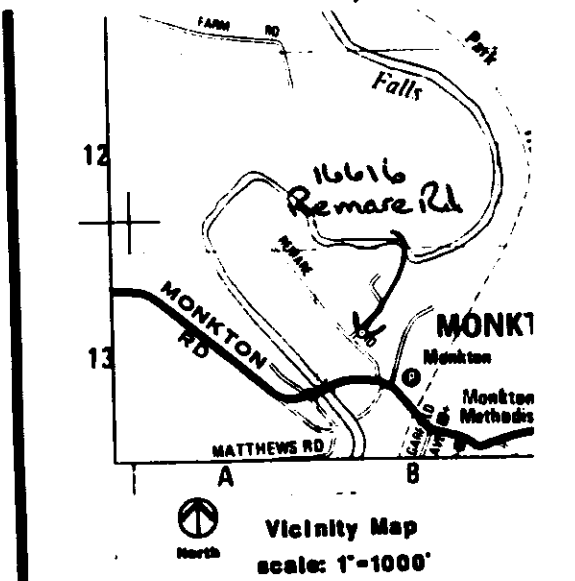
Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: 16616 Remare Rd

Subdivision name: _____
plat book# _____, folio# _____, lot# _____, section# _____

OWNER: Eric & Patricia vanden Beemt

see pages 5 & 6 of the CHECKLIST for additional required information



LOCATION INFORMATION

Councilmanic District: 3

Election District: 10

1"=200' scale map:

Zoning: RC-4

Lot size: 4.6 acreage square feet

SEWER: ☐ A ☐ B

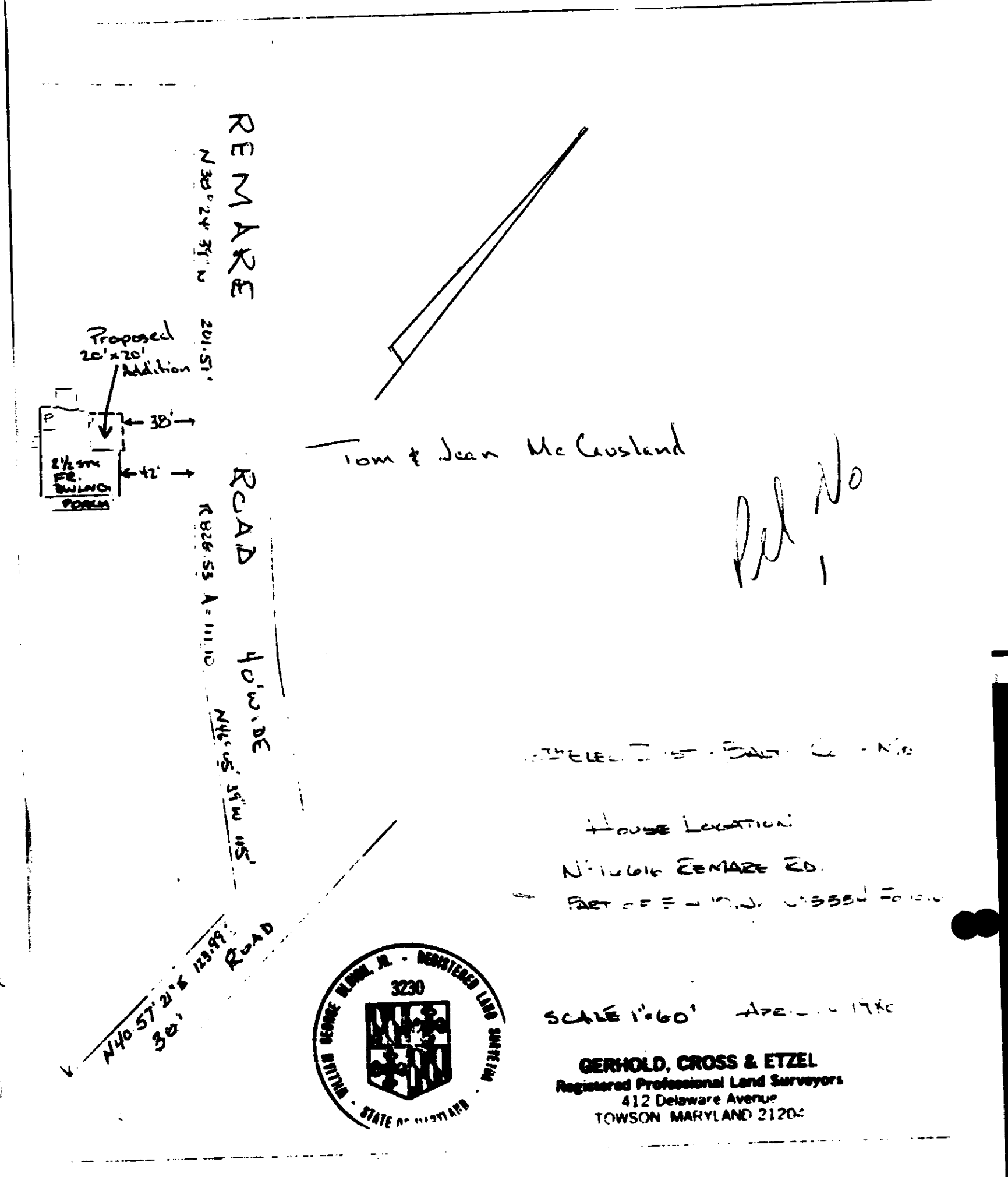
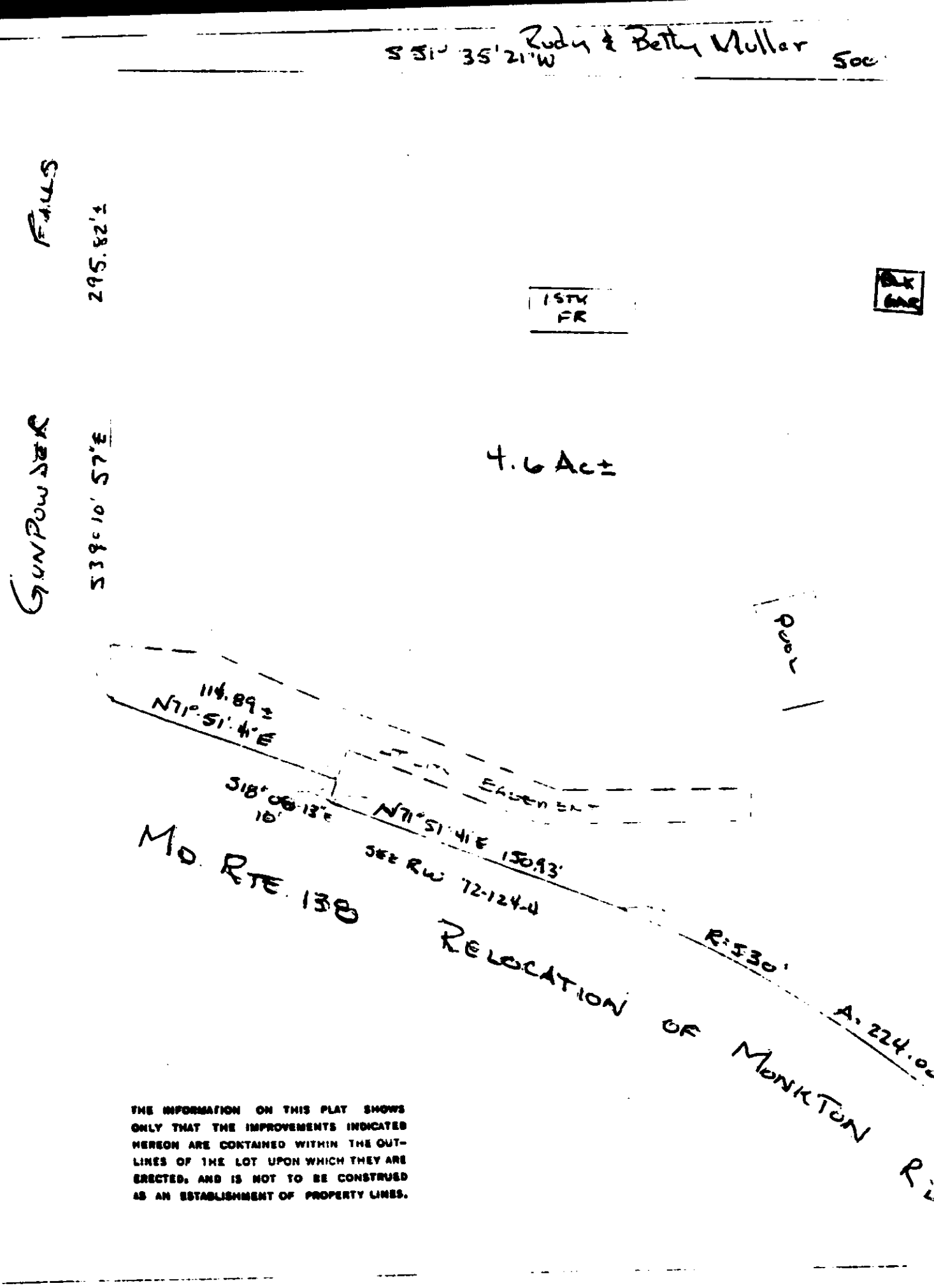
WATER: ☐ A ☐ B

Chesapeake Bay Critical Area: ☐ A ☐ B

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



FILE	LOCATION	SHEET
200'±	WEST OF	N.W.
TE	MONKTON	26-A
PHOTOGRAPHY		
JANUARY		
1986		